

The following article was published in the Athens Sentinel, of the 1st September last, accompanied by a request that we would copy it in the Journal. It was laid aside for publication, but owing to unavoidable accidents it was overlooked and forgotten, until a very short time ago. We now take the earliest opportunity offered, to atone for our past neglect, hoping in the mean time, that the writer has suffered nothing serious from what has been unavoidable on our part. *Editors Geo. Journal.*

## To the Public.

FELLOW CITIZENS—An appeal to the public in matters of private concern, is as disgusting to me as it is uninteresting to you. There are circumstances however, which admit of no choice, and such I consider my own situation. I have been driven to this course, by an attack made upon me by *Joseph J. Singleton*, as unwarrantable and ungentlemanly as it was unprovoked. In a late attempt to prove that he survived his obituary, he seems to have deemed his personal declaration, without some active and positive aggression, insufficient evidence of the fact, and has therefore taken the liberty of making an allusion to me, which could not be misunderstood.—Had this attack been confined to the knowledge of those who know the man, this should never have reached the public prints. But there are many persons in the State, under whose observation his publication must necessarily fall, who know nothing of the character of its author. Of these, many may be led to suppose, from his being a candidate for Congress, that he possesses in *some small degree* that ‘moral and literary capacity,’ for the ‘discharge of the great duties of an American statesman,’ of which he boasts. Such persons may be of opinion, that an unpretending citizen, though he be not so *ineffably stupid* as to deem himself qualified to discharge these high duties, nor so *consummately vain* as to conceive that he will make the voters of a district believe it, nor so *presumptuously impudent* as to thrust himself, void of qualification, upon the contempt of the freemen of the country, should nevertheless, cause to be laid before his fellow citizens, the nature of the observations which render him unfit for a Trustee of Franklin College.—Of these observations this man has spoken in a manner so darkly suspicious, that fancy might have conceived them to have hinted at treason against the country or the college—at the assassination of some of the young gentlemen pursuing their studies here, or as containing some sentiment of great moral turpitude. He left the community entirely at liberty to form any opinion of them, which might best comport with the imagination of each. And had the

doubt, hoped that impressions to my prejudice would have been formed in the public mind before my return from the Indian Springs, which he knew was not intended under several weeks.

He has chosen a subject too, which has occasioned much unpleasant feeling with a number of individuals in the State. A subject, which has been a source of deep regret to every friend of the college. And I boldly declare, and I know I shall be borne out in the declaration, by all who know any thing of my opinions or feelings on the subject, that no one has regretted it more sincerely than myself. It is the subject of quiz-writing--of which so much has been already said in the papers, that few persons can be unacquainted with its details. To have me regarded as the protector of those who descended to this unworthy practice, and to connect me with the subject in public estimation, has evidently been the intention of this man, by his mysterious allusions and wilful and deliberate falsehoods. It is to break off such connection, which existed only in the gangrene of his mind--to repel his infamous insinuations--to give the public the light of truth, by which to decide this matter between us--to place him in a proper point of view before them, and to exhibit the high, 'moral and literary capacity,' which he has published himself to the world as possessing, (but of which the papers bear no other testimony than his word) that I take the liberty of making the following succinct and candid statement of facts. That they are facts, no man will doubt when he sees them attested by the two gentlemen, whose names are below, and to which names, reference has been audaciously had, for the establishment of the very reverse of what appears here. In this statement the precise words are used where they could be recollected and the substance retained in every instance.

It seems that some act of imprudence had produced the publication of this man's death in the Augusta Chronicle of the 24th May. Sometime in the early part of June, I was called on by Singleton and Dr. James Nisbit, and I soon learned that the object of their visit had reference to this circumstance. He introduced the subject of this publication, and produced what he said was the original manuscript. Among other unimportant matters concerning the character and extent of such productions, he inquired if I did not 'think it would injure the college?' I answered that I thought it probably would--that some excitement of feeling would be produced, and it might perhaps make enemies to the institution. In the course of conversation, Singleton remarked, that he intended making a publication on the subject, and before executing his intention, had come to Athens to see the President, and some of the Trustees, for the purpose of ascertaining what they would do in the business--that he had seen Dr. Waddle, Judge Clayton, and Dr. Nisbit, all of whom had promised to exert themselves to detect the individual, and expressed considerable regret at the circumstance. He then desired to know my views on the subject. (About this time Dr. Hull came in and the conversation was continued.) I observed, that I regretted as much as any person that the circumstance had occurred, and viewed such conduct as highly reprehensible--and that I regretted it particularly, because I was apprised of the difficulty of detection in such cases--but that I could not see in what way the interference of the Trustees could facilitate the detection--That I considered it within the proper sphere of the Faculty, that they were honest, active and vigilant, and from their intercourse with the Students and their constant ingress and egress, to and from the College, had many more opportunities for the discovery of the author, than the Trustees or any body else could possibly have--and that I did not therefore, consider the agency of the Trustees necessary.

He answered that detection was not difficult, if the proper steps were taken--that he had in his possession, the original manuscript, the hand writing of which was not disguised--that each student in the college should be compelled to furnish a specimen of his hand writing, and that the writer of that which bore most resemblance to this manuscript, should be expelled.

I stated that this was a mode of procuring testimony, so entirely repugnant to all rules known to our institutions, that I certainly thought it objectionable under any circumstances--but particularly so, when a case like the present, there would be so little prospect of arriving at truth by its adoption. The evidence thus obtained must be of a character very equivocal and unsatisfactory, and the punishment imposed under it, could be considered in no other light than as one inflicted upon suspicion, and that of the slightest character. There are many young men together here--there are many whose hand writings bear a strong resemblance; and though this manuscript may not be disguised, yet the author when called upon for a specimen of his hand writing, and that too, with the avowed purpose of criminating himself, would doubtless so far alter his own hand, or counterfeit that of his fellows, that he would be as little likely to excite suspicion, as any individual in the institution--and thus, while the guilty would escape, an innocent young man might suffer for another crime, in this sweeping and incautious exercise of discipline.

He declared that he would expell them upon suspicion--that it would be to the advantage of the college to have them expelled upon suspicion; for that unless a stop was put to this practice, the college would be put down--that he had good grounds of suspicion against a young man\* in the college, because he was the nephew of one of his competitors, and this obituary was intended to injure his political standing.

I enquired whether he thought there was a man of intelligence in the State, who would be willing to sacrifice its literary reputation, and cast a shade over the prospects of more than a hundred young men, who had no agency in this transaction, by depriving them of an opportunity of obtaining a liberal education, upon no better ground than the imprudence of a very few who might be unluckily associated with them.

He answered that there were men in the State, and they were men in authority, who had been insulted in this way, and who would not put up with it, *but would see that the next Legislature would take the college in hand, and overthrow it.* And that it would be better that *innocent young men should be expelled* than that this should be the case.

Sir, said I, as I before remarked, I consider the interference of the Trustees unnecessary, and that this is the business of the faculty; *but were I a member of the Faculty, and it became my duty to act, I would see the college go to pieces over my head, before I would consent to be the instrument of expelling one of those young men whom I knew to be innocent, or even upon ordinary suspicion.* I probably do not view this punishment as involving such trifling consequences as yourself. I deem it no considerable injury to a youth in this country, to have his prospects of obtaining such an education as will qualify him for filling the station which he intends occupying in society, forever blasted. But the evil does not stop here. The Faculty of the college are men in whom the public have confidence. Reliance is placed, and deservedly, upon their justice and judgment--and when a student goes into the world under sentence of expulsion, he meets the prejudices, the strong prejudices of the community. They presume, and very properly, that men in whose integrity, and ability, the public re-

\* This young man's name he mentioned.

pose confidence, would not have inflicted the highest punishment known to the laws of the institution over which they preside, unless they were conscientiously certain that some flagrant aggression had been committed, by the culprit, against the laws of morality or society. I know Sir, that the government of every such institution is necessarily a despotism, but I know also, that in a country like ours, its laws should not be administered in a more tyrannical manner than is sufficient to carry into execution the objects of the institution. And I appeal to your own feelings, whether you would not consider that you had good cause of complaint against the officers of the college if you had a son driven from the institution upon ordinary suspicion; and whether you would not feel yourself still more aggrieved if you knew that he was innocent. Ask yourself whether others would not have the same right to complain; and whether the institution would not experience a merited injury from this exercise of tyranny.

In the course of the conversation, I inquired of Dr. Singleton, if he did not think that the most efficient means of putting a stop to this practice, would be to pass it unnoticed. And stated it as my opinion, that if gentlemen of character and standing in the state, would rest upon their characters, and treat with the contempt they deserved, these ebullitions of puerile imprudence, the thing would correct itself—That the authors would cease to write, when they found themselves unregarded.

He answered angrily, that contempt would do sometimes, but this was not the time.

#### *Certificate of Drs. Hull and Nisbet.*

Having been referred to by Dr. J. J. Singleton, and called upon by Major Abraham Walker, we do certify that the above statement of a conversation between those gentlemen, at which we were present, and which took place at the house of the latter, is substantially correct. And being requested by Major Walker, to state particularly what we recollect in relation to four points noticed by Dr. Singleton, in his publication in the Georgia Patriot, of the 15th inst. we certify further, that we recollect well, that the next Legislature, and its probable opposition to the college, were introduced by Dr. Singleton himself, nearly, if not exactly in the words, and manner stated above—and that this declaration, was matter of conversation between ourselves after the Doctor had taken his leave. We recollect also, that the whole difference between them, in relation to what was proper evidence in this case, was based upon bare suspicion as distinguished from *stronger circumstantial evidence*, and the Doctor's willingness so punish the innocent. He seemed to consider that the existence of the college depended on an example being made, and insisted as we understood him, that similarity of hand writing was sufficient for that purpose, or any circumstance which might induce suspicion. We heard no observation from Major Walker, which conveyed the idea of positive proof being necessary for conviction—nor was his observation such as stated by Dr. Singleton, but very nearly in the words of the above statement. We recollect no such question as that stated by Dr. Singleton, in relation to the interest of the college sinking, and are therefore of opinion that no such question was proposed. And we feel the more confidence in this opinion because we gave undivided attention to the conversation. Dr. Nisbet was present, and recollects that Dr. Singleton did inquire of Major Walker "if he did not think it would injure the college" and that the answer was given very nearly in the words stated above.

We recollect well, that Major Walker's remarks in relation to treating this species of attack without notice, and with contempt, were an inquiry made of Dr. Singleton, and the statement of his own opinion, as they are represented in the foregoing and that the inquiry was suggested by a remark from Dr. Hull. We did not hear the remark, that no man of fine feelings would notice a thing of the kind—and we feel satisfied no such remark was made. We state also that we saw nothing in Major Walker's treatment of Dr. Singleton; at which we should have felt ourselves warrantable in taking offence.

HENRY HULL.

JAMES NISBET.

After some other conversation, in which he lauded himself as a *disciplinarian* of the first water, and stated what astonishing feats he would perform, if he were *President of a College*, he shook me by the hand and took his leave. I supposed that this conversation contained nothing more than an honest difference of opinion, on what formed its subject, and as I felt conscious of having said nothing, either in matter or manner, with an intention to offend, calculated of course, to hear no more of the affair. Some days after, I left home on a visit to the Indian Springs. After having been there ten or twelve days, I was asked if I knew to what Trustee of the college Dr. Singleton alluded in his publication—and being informed of its nature, I had no doubt it was designed for me. As soon as I could procure the means of conveyance, I returned home, and three days after, addressed to the Editor of the Centinel, the following note:

*Mr. Robinson*—In the Augusta Chronicle of the 14th ult. is an address to the voters of the third Congressional District of Georgia, signed by a Joseph J. Singleton. In that address is an allusion to a Trustee of the University of Georgia, in the following words 'with the exception of one of the Trustees—(whose name, if it becomes necessary, will be given, together with some of his observations, appertaining to the case, in the presence of two respectable gentlemen which will enable the public to judge whether he is fit for a Trustee of Franklin College or not.) From the circumstance of having had a conversation with this man, on the subject of his complaint, I was induced to suppose his remarks intended for myself. On my arrival here a few days since, I found the same opinion entertained by my friends. As I am not in the habit of hazarding opinions in private, which I am unwilling to avow and defend before the public, or for which I fear the result of public scrutiny, I have to request the liberty, through your paper, of calling on this individual for the annunciation of the name of the Trustee, and a statement of his offensive observations.

A. WALKER.

Near four weeks elapsed, after the publication of this note, during which, his 'moral as well as literary capacity' was in labor: and at length, *Montes parturiant: Nascitur ridiculus mus*. His second moral and literary production appeared, bearing strong features of consanguinity to the first. He states the same grievances as in the first, and asks, from what source should I seek redress, better calculated to give satisfaction, than from the head, and immediate guardians of that institution? And who, I would ask in my turn, interrupted him in his application to this source? Did I refuse him the privilege of appealing to the proper authority for redress? Or could I have done so if I would? Did I not refer him to those whose business, and duty it was, and who possessed, I well knew, the inclination, to render him adequate redress, if it had been in their power? The Faculty of every college are the proper officers for the execution of its laws. I believed, and think still, that in such cases the interference of the Trustees is entirely unavailing, and therefore unnecessary. I differed with Dr. Singleton on this subject, and he became offended with me, because I would not engage to pursue his tyrannical measures. And I refused to do this, under the most solemn conviction, that they would have been fraught with more injury to the college, than even the unfortunate circum-

stances they were intended to remedy.—

And I believe, that when candid men, those particularly who are acquainted with the operations of such institutions, shall have deliberately considered the subject, such will be their convictions. These young gentlemen are, many of them, at a distance from parents or protectors, other than the officers of the college. And although many of them are imprudent, yet they have rights, which should be regarded as sacred, as those of older individuals. And the obligation of justice is not lessened, on those under whom they are placed, by reason of incapacity to protect themselves. I know that youth must be governed, but I know also, that it is not necessary to pursue such rules for their conviction and punishment here, as every parent would in his own house revolt at: unless perhaps, he were a considerable disciplinarian. Every youth in Franklin College, knows enough of the nature of our institutions, to be aware, that his parents would have viewed as tyranny, the mode proposed by this *American statesman*, for criminating themselves by extorted testimony, and would to a man, have refused to comply. The result must have been, either the relinquishment of the just authority of the Faculty, or the disbanding of the college. Either of which events, I view as fatal to its interest. And is there a father, who would willingly place his son within the grasp of such oppression? Who would see unmoved the extortion of testimony from him, which would result in his injury and dishonor? Subject him to punishment upon mere suspicion, and when this could not be legitimately excited, expulsion innocently from the college? Would the public patronise an institution, in the government of which, such doctrines were held and exercised? I will not believe it. I consider myself as having been engaged in defending the interest of Franklin College, and the cause of every parent, who has now a son here, or who may send one here, for ages to come.

But this man takes 'much pleasure, in rendering unto Cæsar, the things which are Cæsar's.' Why then did he not gratify himself when requested? Why did he daringly, and shamelessly hand out to the public, that tissue of falsehoods in his last piece? Cæsar asked for his own—but he rendered unto Cæsar, neither his image, nor superscription, but the deformed emanations, of his own sterile and malignant mind. He has put into my mouth words, I have never uttered, and expressed for me sentiments, I have never conceived. He has made me say, there would be 'a powerful opposition against it, (the college) at the next meeting of the Legislature' This is an audacious, and wilful falsehood. It was this man's own declaration, and made in the precise words of the foregoing statement. Drs Nesbit and Hull recollect it well; and so emphatically, and pompously was the declaration made, that its remembrance was not like to escape any who heard it.

He has made me answers in the affirmative, to the very polished question, 'whether I thought its (the college's) interest was a sinking or not.' This is false—no such ridiculous question was asked, (though its stupid character might well suppose the fact, and if it had been, no such answer would have been returned. I may not discharge my public duties with so much 'literary capacity' as this *American statesman*, but I may venture to claim as much ingenuousness, honesty, and fearlessness of consequences, as he—I was not very likely therefore, (if the matter had escaped recollection) to have offered such an opinion: believing as I then did, and still do, that the circumstances of the college, have never been more flattering than at present—nor its prospects of permanent and extensive usefulness brighter. And I congratulate the public, that the literature of its dissolution, is not likely to bear any strong similitude, to that of this *American statesman*. The question 'if I did not think it would injure the college,' was proposed by him, and replied to by me, in the manner stated above. I did fear that the college would sustain some injury, by the loss of friends—but I never apprehended that the loss would be considerable. I did believe, and still retain a perfect confidence, that most gentlemen of character and standing, viewing the circumstances through the medium of truth, as the fault of reckless, and inconsiderate youth, and not as the fault of the institution, or its immediate governors, would treat the matter with contempt. I am happy in the belief, that my expectations have been realised! For very few gentlemen have deigned to notice it, any other way. It has been reserved for this *literary statesman* alone, to discover, that these contemptible pieces of abuse, are about to 'sap the very foundation of our republican fabric, and leave you to mourn upon its lamented ruins.'

He has attributed to me, the assertion, that 'no man of fine feelings would notice any think of the kind.' This is as preposterous a falsehood as its predecessors. My observations on that subject, formed simply, an injury of Dr Singleton, as stated above, whether he did not think, that the most efficient means of putting a stop to this practice, would be to pass it unnoticed. And then my own opinion was hazarded, that if gentlemen of *character and standing*, (which it seems he did not take to himself,) would treat it with contempt, that it would correct itself. I viewed such men, as beyond the reach of injury from such attacks, unless perhaps, injury of feeling at the instant which would be removed by calm and dispassionate reflection. Such men may look upon such trifles, as did the lion in the fable, upon the ass who brayed against him—He was for a moment irritated, but when he saw the beast he was immediately calm and unruffled. Of my 'literary capacity' I make no boast—but believe, it requires only a limited one, to enable me, to claim a better knowledge of the application of terms, than to have used fine feelings in the manner here stated—and especially where they could be so little felt or understood. I do believe, that any candid man, might have inferred the truth from the observation itself. What has fine feelings to do with the toleration of insult? Are they not always arrayed on the side of resentment? And does Dr Singleton believe, that his fustian puffs have so far covered his objects in making such statements, that they will not be detected, and exposed? Or that his morality or literature, have such attractions for me, that I would be willing to appear in the absurdity of either? No, fellow-citizens, the man had obviously two objects in view—the first was a desire to express a fine sentiment at my cost—to show that I was as ignorant as himself—that I had violated the laws of hospitality, and good breeding and to manifest his own exquisite sense of both. The last and greatest, was to excite sympathy, and enlist the feelings of others against me. Aware of the unobscured warmth of party spirit in the state, he has attempted, by being 'a lying spirit in my mouth,' and putting therein the Legislature and its opposition, which were creatures of his own imagination to convey to one of the political parties in the state, that I strongly distrusted them. By representing me, as asserting, that no man of 'fine feelings,' would take notice of any thing of the kind,' and applying it to others, he anticipated the excitement of prejudices against me, and the creation of the oppression, that my observations were elicited, by party feelings. He hoped by circulating, and having the impression, that I had wilfully abused gentlemen 'who had been similarly abused,' to induce them to espouse his cause—sanction his unwarrantable measures, and thus have the attack, and slander, on me, multiplied.

\* It is to be observed, that the above observations were made at a meeting of the Legislature, on the 10th of February, 1810.

party—Behind which, he would now like to consider himself secure. Perhaps too, he thought to eradicate from the mind of the party, to which he professes to belong, the impressions generated there, by his political inconsistency. —And by this direction, given to his 'literary' falsehoods, to atone for his former apostacy.

These are certainly the impressions, which it was his object to make, on one of the political parties. If he has succeeded, he has done me injustice. Nothing was more remote from my intention, than that of insulting, any man, of any party in my own house. Even to Dr. Singleton, who was violent and dictatorial, I offered no insult. I treated him with the civility, which becomes the laws of hospitality. The gentlemen who were present, will confirm this assertion, and the whole tenor of the above exposition, supports it. But I would not be the instrument of seeking this moral man's infuriate vengeance on the innocent, and he has brought all his '*moral and literary capacity*' into requisition to injure me.

The last representation, of my dreadful observations, appertaining to the case, which I shall notice, is the declaration, 'before I would give my voice, in favor of blasting the prospects, of one of those young men in college, from any circumstance, short of positive proof, I would see the college go down.' My declaration on that subject, as stated above, is in my precise words, and the unjust and abominable principles, which elicited my remarks, were such as are there stated. It is perfectly recollected, that positive proof entered not into the discussion—that the ideas which I combated, were expulsion upon slight and ordinary suspicion, and expulsion innocently. If the Doctor had thought proper to have inquired, he might have ascertained, that I knew, what every other man in the country knows, that circumstantial evidence, may be as strong as positive proof—and that I would not have had more hesitation, in convicting under some circumstances, than upon proof which was positive. But Dr. Singleton knew, and every gentleman present must have known, that it was not circumstances of this kind which formed the subject matter of our difference. They were such circumstances as could induce nothing but naked, unsupported suspicion—such as similarity of hand writing, which since the execution of Sidney, is considered odious testimony—the ridiculous circumstance, of a young gentleman being the nephew of one of his competitors—or, as that of calling on the guilty individual, with a hundred others, to exhibit his hand writing, because the original, with which it was to be compared, was not disguised. Was it not as easy to have disguised the last as the first? And would the similitude have been greater, in consequence of this? Besides there is a fact, which would have rendered truth more doubtful, and innocence more insecure, in this case, and which is known to few persons out of this village, but of which Singleton had been informed, before he came to my house, that a considerable number of these young men had been taught to write under a new and modern system by the same master, and by the same set of fixed and unchangeable rules. Of these, many write so nearly alike, that it is difficult to distinguish the difference. And who does not see, that by the adoption of this iniquitous course, some innocent man must have suffered? But he extended his principle, from nude suspicion, where that was wanting, and declared his willingness to punish, even the innocent, for the sake of example. I was not until this position was taken by him, that, shocked at his temerity, I expressed the sentiment, in the manner stated above, and not as appears in the Doctor's last Bulletin. It is a sentiment, which I am not ashamed to declare to the world, one in perfect accordance with which, under similar circumstances, I shall ever be found ready to act—and it is a sentiment which, I trust, meets a response in every honest man's heart.

What injury then have I offered Dr. Singleton, by which his ire has been drawn upon my head? I have never had with him, more than a passing acquaintance—I have never had intercourse or transaction with him, except the purchase of corn, four years since, through a friend, for which I paid him cash. I have never interfered in his schemes of ambition—nor interrupted his affairs "moral or literary," political or pecuniary, at any time, or upon any occasion whatever. We entertained conflicting opinions on this subject, and he took the liberty, when he knew I was absent from home, of giving me an indecorous parenthesis, in his first manifesto. When called upon for his reason, for thus acting, he adopted a course, which very badly befits the representative of a veracious people. What were his true motives for his conduct in this whole affair, I submit to a candid public to infer from facts. He has called upon them to judge of my fitness for a Trustee of Franklin College—I shall therefore, without stopping to publish my own "*capacity*" take the liberty of stating, that I have never gratuitously obtruded myself upon the public notice, with a view to obtain any public favor, at the expense of any one principle, of decency or honesty—much less have I envied those pretenders to greatness, who have for their conspicuousness, no higher merit, than ineffable stupidity, profound ignorance, audacious impudence, consummate vanity, political inconsistency, and moral corruption—qualities wholly unfitting a man for any station, even though it should be a seat in Congress, under the late change of selection.

But Dr. Singleton "really wished" to be called on, for a statement of my observations. This may be true—his high "*moral, and literary capacity*," is the foundation, on which he rests his claims to the confidence of the people. To exhibit these, was doubtless an object, of his highest ambition—and he has succeeded well. Without an excuse for writing something more than his famous exposition of his existence, he was not certain that it would not be considered as another hoax. To be sure, he did flash upon the voters of the third district, from that unimpeachable paper, information, which could only have been the offspring of his mighty mind. He has informed them that democratical principles are of recent growth in Georgia. Of this fact I presume that all the literati of the country, Jos. J. Singleton excepted, were unapprised. Had any other literary man been asked the duration of democracy, in this state, he would probably have declared it co-eval with the establishment of party. It is by the correction of such blunders as this, in the defensible style of his infamous production, that he expects to be written into high renown—and it is by writing parenthetical allusions, elegant and modest threateningst and "*literary*" distortions of truth, that he expects to employ the quills to execute this undertaking. But it is a Herculean task to draw so much "*moral and literary capacity*," from that obscurity, to which nature, and nature's God has consigned them. It is too

He voted against Governor Troup, and after his election, applied to his own personal and political opponent, to solicit for him, an address of the Governor. After much intreaty, the application was made, and the appointment obtained. He mounted his cockade, and with his title Colonel, rode about the country—proclaiming his Excellency for a time, appeared in parade, was kissed and diso-

He was an Old Treaty man for a while, but soon bow'd to thought a New-Treaty leader.

It is his desire, that he would inquire into the conduct of Dr. Washel, Judge Clayton, and the other party, and if they should not act as he directs, that he would publish them.